

Date

Patrick Furlong
7448 Camelback Drive
Shreveport, Louisiana 71105

Re: Ethics Board Docket No. 2016-095

Dear Mr. Furlong:

The Louisiana Board of Ethics, at its March 18, 2016 Board meeting, considered your request for an advisory opinion regarding whether you may own and operate a landscaping company and register with LAPELS while serving as the Shreveport Assistant City Engineer. You are a licensed professional engineer that was appointed Assistant City Engineer by City of Shreveport. Your areas of work include capital drainage projects, floodplan management, permit review and private development. This requires you to oversee that developments in special flood hazard areas are built to the correct elevation, review plans and inspect work on private developments where the streets, drainage, and sewer infrastructure meet the City's specifications. Finally, you review permit applications for the engineering department.

You have your horticulturist license and wish to start a landscaping company. You would like to register this company with LAPELS so you can use your professional engineer stamp with the company. The City of Shreveport currently pays for your and other City engineer's license renewal every two years. You do not anticipate that your work would be submitted to the City, as the City has no oversight over permitting for private landscaping. Further, you would not solicit private work while serving in your public role.

The Board concluded, and instructed me to inform, that the Louisiana Code of Governmental Ethics would not prohibit you from owning and operating a landscaping company while employed as the Shreveport Assistant City Engineer or from registering the landscaping company with LAPELS. La. R.S. 42:1111C(2)(d) provides that no public servant shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are neither performed for nor compensated by any person from whom such public servant would be prohibited by R.S. 42:1115(A)(1) or (B) from receiving a gift. Therefore, you would be prohibited from receiving compensation for performing services for people who are regulated by your agency, who have or are seeking to have a contractual, or other business or financial relationship with your agency, or a person who has substantial economic interests that may be affected by the performance or nonperformance of your official job duties.

Finally, the Board concluded, and instructed me to inform, that the Louisiana Code of Governmental Ethics would not prohibit you from accepting the City of Shreveport's renewal of your Professional Engineer License every two years as this is a benefit you are duly entitled from your governmental entity. La. R.S. 42:1111A(1)(a) of the Code of Ethics prohibits public servants from receiving anything of economic value, other than compensation and benefits from the governmental entity to

which he is duly entitled, for the performance of the duties and responsibilities of his office or position.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Brett Robinson
For the Board

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THIS IS NOT AN OPINION OF THE BOARD OF
ETHICS